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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA, MARY ELLEN DUNLEAP  
IN AND FOR THE COUNTY OF COCHISE CLERK OF SUPERIOR COURT

STATE OF ARIZONA, ) GRAND JURY NO. 16- D 134  
Plaintiff, ) CASE NO. CR2016-  
vs. ) CASE NO. CR2016- 00739  
TOYA MARLENE LITTLEBEAR and )  
ERNEST CLAYTON ROSS, aka BJ, )  
Defendant(s). )  
INDICTMENT

The Grand Jurors of the County of Cochise, in the name of the State of Arizona,  
and by its authority accuse:

TOYA MARLENE LITTLEBEAR and  
ERNEST CLAYTON ROSS, aka BJ

and charge that in Cochise County:

COUNT 1

On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, knowingly possessed a dangerous drug for sale, to wit: methamphetamine, in violation of A.R.S. §§13-3407.A.2, 13-3407.B.2, 13-3407.D, E, F, G, H, I, J, 13-3401.6, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 2 felony.

COUNT 2

On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed child abuse, under circumstances likely to produce death or serious physical injury, by intentionally and knowingly and the victim was under fifteen years of age and having the care or custody of a child, caused or permitted the person or health of the child to be injured or to be placed in a situation where the person or health of the child was endangered, in violation of A.R.S. §§13-3623.A, 13-3623.C, E, F, 13-105, 13-303, 13-701, 13-702, 13-703, 13-705 and 13-801, a class 2 felony, punishable pursuant to A.R.S. §13-705.

COUNT 3

~~On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, knowingly hire, employ or use a minor to engage in any conduct, completed or preparatory, any substance if its possession is prohibited by §§13-3404, 13-3404.01, 13-3405, 13-3406, 13-3407, and 13-3408, in violation of A.R.S. §§13-3409.A.2, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-705.C, and 13-821, a class 2 felony, punishable pursuant to A.R.S. §13-705.~~

1                   **COUNT ~~3~~ 3**

2                   On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, conspired  
3                   with S.L. to intentionally be present in a drug free school zone to sell or transfer marijuana under  
4                   2 lbs, peyote, prescription only drugs, dangerous drugs or narcotic drugs, to wit: marijuana, in  
5                   violation of §§13-3411, 13-3401, 13-1003, 13-105, 13-303, 13-701, 13-702, 13-705C and 13-821  
6                   a class 4 felony, punishable pursuant to A.R.S. §13-705.

7                   **COUNT ~~4~~ 4**

8                   On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
9                   possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
10                  paraphernalia, to wit: 14 seals containing methamphetamine, in violation of A.R.S. §§13-3415.A,  
11                  13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

12                  **COUNT ~~5~~ 5**

13                  On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
14                  possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
15                  paraphernalia, to wit: drug kit containing numerous pipes, two seals, methamphetamine, seals  
16                  containing marijuana, blue container with marijuana, in violation of A.R.S. §§13-3415.A, 13-  
17                  3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

18                  **COUNT ~~6~~ 6**

19                  On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
20                  possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
21                  paraphernalia, to wit: seals located on top of red tool box, in violation of A.R.S. §§13-3415.A,  
22                  13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

23                  **COUNT ~~7~~ 7**

24                  On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
25                  possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
26                  paraphernalia, to wit: black plastic scale with residue, located on top of red tool box, in violation  
27                  of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6  
28                  felony.

29                  **COUNT ~~8~~ 8**

30                  On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
31                  possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
32                  paraphernalia, to wit: grinder, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-  
33                  701, 13-702, 13-703 and 13-821, a class 6 felony.

34                  **COUNT ~~9~~ 9**

35                  On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
36                  possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
37                  paraphernalia, to wit: glass gin bottle bong, in violation of A.R.S. §§13-3415.A, 13-3401, 13-  
38                  105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

1  
2                   **COUNT 10**

3       On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
4       possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
5       paraphernalia, to wit: multi colored glass pipe with residue on entertainment center nor side of  
6       room, seals located on top of red tool box, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105,  
7       13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

8  
9                   **COUNT 11**

10      On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
11      possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
12      paraphernalia, to wit: multi color glass bong left side of bed, in violation of A.R.S. §§13-3415.A,  
13      13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

14                   **COUNT 12**

15      On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
16      possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
17      paraphernalia, to wit: multicolored bag containing on right side of bed containing numerous  
18      items of paraphernalia, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701,  
19      13-702, 13-703 and 13-821, a class 6 felony.

20                   **COUNT 13**

21      On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
22      possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
23      paraphernalia, to wit: glass pipe in multi colored bag on right side of bed, in violation of A.R.S.  
24      §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

25                   **COUNT 14**

26      On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
27      possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
28      paraphernalia, to wit: small glass pipe with residue in multi colored bag on right side of bed, in  
29      violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-701, 13-702, 13-703 and 13-821, a class 6  
30      felony.

31                   **COUNT 15**

32      On or about September 25, 2015, ERNEST CLAYTON ROSS, AKA BJ, committed  
33      possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
34      paraphernalia, to wit: plastic scoop, straw segments and loose seals, in multi colored bag on right  
35      side of bed, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-  
36      703 and 13-821, a class 6 felony.

37                   **COUNT 16**

38      On or about September 25, 2015, TOYA MARLENE LITTLEBEAR knowingly  
39      possessed a dangerous drug for sale, to wit: methamphetamine, in violation of A.R.S. §§13-  
40      3407.A.2, 13-3407.B.2, 13-3407.D, E, F, G, H, I, J, 13-3401.6, 13-303, 13-701, 13-702, 13-703  
41      and 13-821, a class 2 felony.

COUNT B /7

On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed child abuse, under circumstances likely to produce death or serious physical injury, by intentionally and knowingly and the victim was under fifteen years of age and having the care or custody of a child, caused or permitted the person or health of the child to be injured or to be placed in a situation where the person or health of the child was endangered, in violation of A.R.S. §§13-3623.A, 13-3623.C, E, F, 13-105, 13-303, 13-701, 13-702, 13-703, 13-705 and 13-801, a class 2 felony, punishable pursuant to §13-705.

## COUNT 19

~~On or about September 25, 2015, TOYA MARLENE LITTLEBEAR knowingly hire, employ or use a minor to engage in any conduct, completed or preparatory, any substance if its possession is prohibited by §§13-3404, 13-3404.01, 13-3405, 13-3406, 13-3407, and 13-3408, in violation of A.R.S. §§13-3409.A.2, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703, 13-705.C, and 13-821, a class 2 felony.~~

COUNT 2018

On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug paraphernalia, to wit: 14 seals containing methamphetamine, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703, and 13-821, a class 6 felony.

COUNT 19

On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug paraphernalia, to wit: drug kit containing numerous pipes, two seals, methamphetamine, seals containing marijuana, blue container with marijuana, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

COUNT ~~2~~ 20

On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug paraphernalia, to wit: seals located on top of red tool box, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

COUNT 2221

On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug paraphernalia, to wit: black plastic scale with residue, located on top of red tool box, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

COUNT ~~22~~<sup>22</sup>

On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug paraphernalia, to wit: grinder, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-

1 701, 13-702, 13-703 and 13-821, a class 6 felony.

2 COUNT 23

3 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
4 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
5 paraphernalia, to wit: glass gin bottle bong, in violation of A.R.S. §§13-3415.A, 13-3401, 13-  
6 105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

7 COUNT 24

8 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
9 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
10 paraphernalia, to wit: seals located on top of red tool box, in violation of A.R.S. §§13-3415.A,  
11 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

12 COUNT 25

13 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
14 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
15 paraphernalia, to wit: multi colored glass pipe with residue on entertainment center nor side of  
16 room, seals located on top of red tool box, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105,  
17 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

18 COUNT 26

19 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
20 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
21 paraphernalia, to wit: multi color glass bong left side of bed, in violation of A.R.S. §§13-3415.A,  
22 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

23 COUNT 27

24 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
25 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
paraphernalia, to wit: multicolored bag containing on right side of bed containing numerous  
items of paraphernalia, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701,  
13-702, 13-703 and 13-821, a class 6 felony.

26 COUNT 28

27 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
28 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
paraphernalia, to wit: glass pipe in multi colored bag on right side of bed, in violation of A.R.S.  
29 §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-703 and 13-821, a class 6 felony.

30 COUNT 29

31 On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
32 possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
33 paraphernalia, to wit: small glass pipe with residue in multi colored bag on right side of bed, in  
34 violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-701, 13-702, 13-703 and 13-821, a class 6

1      felony.

2                    COUNT 30

3      On or about September 25, 2015, TOYA MARLENE LITTLEBEAR committed  
4      possession of drug paraphernalia by knowingly using, or possessing with the intent to use drug  
5      paraphernalia, to wit: plastic scoop, straw segments and loose seals, in multi colored bag on right  
6      side of bed, in violation of A.R.S. §§13-3415.A, 13-3401, 13-105, 13-303, 13-701, 13-702, 13-  
7      703 and 13-821, a class 6 felony.

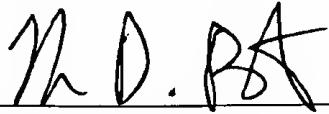
8                    COUNT 31

9      On or about September 25, 2015, TOYA MARLENE LITTLEBEAR knowingly  
10     possessed a dangerous drug, to wit: methamphetamine, in violation of A.R.S. §§13-3407.A.1,  
11     B.1, F, G, H, 13-3401, 13-901.01, 13-701, 13-702, 13-703 and 13-801, a Class 4 felony.

12     DATED this 1st day of September, 2016.

13     COCHISE COUNTY ATTORNEY

14     BY:



Thomas D. Bennett  
Deputy County Attorney

True Bill



Foreperson of the Grand Jury

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